

DANA M. STEIN
Legislative District 11
Baltimore County

—
Vice Chair
Environment and Transportation
Committee

Subcommittees
Chair, Environment
Natural Resources,
Agriculture and Open Space



The Maryland House of Delegates
6 Bladen Street, Room 251
Annapolis, Maryland 21401
410-841-3527 · 301-858-3527
800-492-7122 Ext. 3527
Fax 410-841-3509 · 301-858-3509
Dana.Stein@house.state.md.us

The Maryland House of Delegates

ANNAPOLIS, MARYLAND 21401

Delegate Dana Stein Testimony in Support of HB 1262

Aquaculture – Tidal Fisheries Advisory Commission, Oyster Advisory Commission, and Leases

Chairman Barve and Members of the Environment and Transportation Committee,

Aquaculture offers us a chance to help the Bay recover its oyster population, but it is being hindered by unreasonably long lease processing regulations and timelines.

This bill will assist this nascent industry by requiring the Department of Natural Resources (DNR) to work with the Aquaculture Coordinating Council, and the Maryland Department of the Environment (MDE) to identify state-owned land that is close to waterways that could support aquaculture in a way consistent with the existing uses of those waterways, including existing commercial fishing uses, and which have the environmental conditions to support the cultivation of oysters.

In addition, the bill will allow DNR to work with the Army Corps of Engineers to preapprove this land for aquaculture leases and accelerate both the review of lease applications and the issuance of leases for this land.

The requirements for posting a lease application for public comment and processing a lease application change under the bill. Currently, there are no clear deadlines for DNR to follow, which causes undue delay. Under the bill, DNR will be required to advertise a lease application within 30 days of certifying the application is complete and would need to issue a lease within 180 days of the expiration of the public comment period or the resolution of any protest or regulatory process.

While this is a growing industry, it has been under-represented on important commissions that regulate the oyster industry. This bill expands the number of aquaculture representatives on the Oyster Advisory Commission and empowers the Aquaculture Coordinating Council to empanel work groups with representatives from different stakeholders to ensure important conversations impacting the entire fishery take place.

Amendments offered in the Senate to which this bill will conform clarify the following:

- eliminates the changes to the Tidal Fisheries Advisory Commission and restores the watermen seats on Oyster Advisory Commission to what is in existing law;
- gives the Aquaculture Coordinating Council authority to convene working groups;
- takes the BPW wetlands administrator and DGS out of the bill;
- clarifies that the bill means submerged land and gives DNR discretion about preapproving land for leasing and accelerating leasing applications in the identified submerged land.

Since 2010 when we passed legislation to encourage the growth of the shellfish aquaculture industry, it has become very successful, but it still faces competition from neighboring states. This bill eliminates some of the barriers that have hindered the growth of this important Bay industry and will help it continue to grow.

I urge a favorable report on HB 1262.